

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES :
 : **3:16-CR-85**
 :
 v. : **(JUDGE MANNION)**
 :
 JEFFREY GUZMAN, :
 Defendant :

ORDER

For the reasons set forth in the Memorandum of this date, **IT IS
HEREBY ORDERED THAT:**

1. Guzman's Motion to Reduce Sentence Based on the First Step Act, construed as a Motion for Compassionate Release and Transfer to Home Confinement because of the COVID-19 pandemic, under §3582(c)(1)(A)(i), **(Doc. 340)**, is **DENIED**.
2. Insofar as Guzman is challenging the decision by the BOP that he is not eligible for home confinement designation under the CARES Act, his motion is **DISMISSED** since the authority to make this determination lies with the BOP Director and not the court.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

Dated: August 5, 2020

16-85-02-ORDER